

U.S. Application No.: 09/830,732
AMENDMENT C

Attorney Docket: 2368.119

REMARKS

Review and reconsideration of the Office Action of November 10, 2003, is respectfully requested in view of the above amendment and the following remarks.

Applicant would like to thank the Examiner for the indication that Claims 13-14 are allowable.

In addition, Applicant would like to thank the Examiner for the courtesy shown to Applicant's representative during the telephone conversation of April 23, 2004. During this conversation, Applicant's counsel discussed a proposed Amendment C, which had previously been sent to Mr. Kyle by telefax on April 21, 2004. The Examiner made a suggestion as to the wording of the independent claims and requested that Applicant file a "Request for Continued Examination" so that Applicant's Amendment C, and the Examiner's suggested claim amendment may be entered in the case.

Accordingly, a RCE is being filed so that Applicant's proposed amendment C may be entered and formally considered by the Examiner.

Applicant has amended the claims as suggested by the Examiner by adding the structural limitations of the casing. In addition, Applicant is adding new Claims 19-23. Support for the claim amendment and new claims can be found in Figures 4 and 5 as originally filed.

Applicant believes that Claims 10-12 and 15-23 are novel for the following reasons:

The present case contains three independent claims, namely Claims 10, 13, and 15. The Examiner indicated that Claim 13 is

allowable, thus the present arguments will be directed to Claims 10 and 15.

The present invention is directed to a **closable portable** case which can be secured in a (standardized) housing. Thus, standardized housing, which should be found in hotels, vehicles, worldwide, allows securing the case when **traveling**. The case is introduced and locked to the housing providing a **double security system**, one **system for locking of the case itself**, and one system for locking into the housing.

Claims 10 and 15 require:

A case-safe system comprising:

a stationary housing adapted to be secured in closets, on walls or in vehicles, in boats, in air planes and in bank safes,

a **closable** case adapted for being received in the housing, wherein the case can be **inserted and barricaded or locked by the housing**. (**First security system**)

wherein the housing includes first locking boreholes for locking and for receiving locking bolts associated with the case, and that the case is provided with its **own independent security locking system**. (**Second security system**)

Furthermore, Claim 15 requires that the housing include a **concealment covering and/or a shield**.

Applicant notes that compared with independent Claims 10 and 15, both references fail to teach that the case is provided with its own independent security locking system which is independent of the housing/case security system.

The case of the present invention is used while traveling, thus, the case must be 1) closed, and 2) have its own **independent locking system**. Thus, the valuables are not lost during the transportation of the case from place to place.

Applicant notes that the West reference (main reference) teaches a portable safe which is designated for gambling establishments (drop box). Emphasis is put on improvements with respect to a currency-receiving slot preventing unauthorized removal of the content.

Nowhere in the reference can be found the teaching of a **closable** case having its own locking system to keep the valuable safe inside **the case during transportation**. Furthermore, the reference only teaches securing the case inside the housing.

There is no technical motivation to include a security locking system in the reference in order to keep the valuables secure inside the case because 1) the case is a drop box (open case), and 2) the case is not intended to be used during transportation.

Applicant reviewed the '599 reference and notes that the reference is directed to a **drawer (bottom and open top)**, which is inserted into means for holding the drawer up against the underside of a supporting surface, like a desk. The drawer is not closed; neither is it provided with its own security system. Furthermore, there is no technical motivation to include a security locking system in the reference in order to keep the valuables secure inside the case because 1) the design of a drawer always includes an open end, and 2) the drawer is not intended to be used during transportation.

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As can be seen, neither of the references taken alone or in combination discloses the invention as claimed in Claims 10 or 15.

Regarding Claim 15

Applicant notes that the Examiner is incorrect in his indication that reference number 12 of the West patent is a concealment covering. Applicant notes that reference 12 is directed to a counter top wherein the safe is attached. (Column 2, lines 1-5).

Neither the West nor the GB references teach a safe having a concealment covering. Thus, Claim 15 is novel.

Accordingly, withdrawal of the rejections is respectfully requested.

The remaining claims are novel in view of its dependency with novel Claims 10 and 15.

New claims 19-23 are novel in view that the cited references fail to teach: 1) a safe system having a casing which includes a case comprising a handle, an independent security locking system, and a locking system associate with the housing (Claim 19); 2) a casing having a cover (Claims 20-21); and 3) a case comprising a body portion defining a receptacle having a hinge top flap extending over the receptacle for closing the same, a handle, anchoring means at each end of said handle for securing the handle to the top flap, and a locking system associated with the housing.

Accordingly, withdrawal of the rejection is respectfully requested.

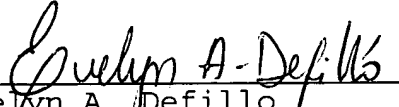
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Favorable consideration and early issuance of the Notice of Allowance are respectfully requested. The Examiner is respectfully requested to contact the undersigned at the indicated telephone number to set a telephone interview.

Respectfully submitted,

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Date: May 19, 2004

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EXPRESS MAIL CERTIFICATE

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DATE OF DEPOSIT: May 19, 2004

I HEREBY CERTIFY that the foregoing **AMENDMENT C** of U.S. Application No. **09/830,732** filed **August 17, 2001**, entitled "**CASE-SAFE SYSTEM**" and a stamped receipt postcard are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated and is addressed: **ATTN: Box RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

The Commissioner is hereby authorized to charge any additional fees, which may be required at any time during the prosecution of this application without specific authorization, or credit any overpayment, to Deposit Account Number 16-0877.


Bonnie L. Horst